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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) NO. CR 20-00425-EJD
Plaintiff,) FILED NOVEMBER 12, 2020
v.)
MARK SCHENA,)
Defendant.)

UNITED STATES OF AMERICA,) NO. CR-21-00214 LHK
Plaintiff,) FILED JUNE 25, 2021
v.) NOTICE OF RELATED CASE IN A CRIMINAL
PAUL HAJE,) ACTION
Defendant.)

The United States of America, pursuant to Local Criminal Rule 8-1, hereby notifies the Court that the above-captioned criminal cases may be related. On May 25, 2021, the government filed an Information against defendant Haje. That case was assigned to the Honorable U.S. District Judge Koh.

Based upon the facts, the case against Haje is related to a previously filed Indictment against Mark Schena that is currently pending before Judge Davila. The cases may be related within the meaning of Local Rule 8-1(a)(1) because they arise from the same federal investigation of health care fraud and securities fraud related to the conduct of Arrayit Corporation where defendant Schena was the President and Haje was the Vice President of Marketing. Defendant Haje has already agreed to enter a guilty plea and, as part of that plea, agreed to truthfully testify and provide information to the government. It is expected that information and testimony will relate to the criminal conduct by defendant Schena.

Likewise, the cases may be related within the meaning of Local Rule 8-1(b)(2) because, if heard by separate judges, the actions likely would involve substantial duplication of labor by the two judges. The government anticipates that evidence from Defendant Haje will be relevant at trial for defendant Schena. The government anticipates that this evidence will show a conspiracy involving defendants Haje, Schena, and others.

Per the requirement of Local Criminal Rule 8-1(c)(4), government counsel states that assignment of these cases to a single judge is likely to conserve judicial resources and promote an efficient determination of each action.

DATED: June 3, 2021

Respectfully submitted,

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Northern District of California

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/s/
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NOTICE OF RELATED CASES